

**FILED**

**FEB 24 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

PETRA LUMBRANO TABARES,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 05-75086

Agency No. A97-356-349

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted February 21, 2006<sup>\*\*</sup>

Before: SCHROEDER, Chief Judge, GOODWIN and RAWLINSON, Circuit Judges.

This is a petition for review of an order denying petitioner's application for cancellation of removal. A review of the record shows the petitioner does not have a qualifying relative for the purpose of obtaining cancellation of removal.

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<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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Accordingly, respondent's motion for summary disposition is granted, *see United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard for summary disposition), and this petition for review is denied. *See Molina-Estrada v. INS*, 293 F.3d 1089, 1093-94 (9th Cir. 2002) (concluding that petitioner who failed to show evidence of qualifying relative was ineligible for cancellation of removal).

All other pending motions are denied as moot.

The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) shall continue in effect until issuance of the mandate. *See Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004); *El Himri v. Ashcroft*, 344 F.3d 1261 (9th Cir. 2003).

**PETITION FOR REVIEW DENIED**